



**MEETING MINUTES  
BOARD OF SUPERVISORS, COUNTY OF MONO  
STATE OF CALIFORNIA**

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting  
December 8, 2015**

<b>Flash Drive</b>	#1002
<b>Minute Orders</b>	M15-233 to M15-245
<b>Resolutions</b>	R15-82 to R15-83
<b>Ordinance</b>	ORD15-09 NOT USED

9:00 AM Meeting Called to Order by Chairman Fesko

*Supervisors present: Alpers, Corless, Fesko, Johnston and Stump.  
Supervisors absent: None.*

**The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link:**

<http://www.monocounty.ca.gov/meetings>

Pledge of Allegiance led by Supervisor Alpers.

**1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

*No one spoke.*

**2. APPROVAL OF MINUTES**

**A. Board Minutes**

Departments: Clerk of the Board

**Action:** Approve minutes of the Regular Meeting held on October 20, 2015, as corrected.

**Stump moved; Johnston seconded**

**Vote: 5 yes; 0 no**

**M15-233**

**Supervisor Johnston:**

- On p. 10, bottom page, under the Variance, 15-001, his vote should say "abstain", not "absent."
- Bottom of p. 13, where it says please with NGO alignment, add "alignment process".

**Supervisor Alpers:**

- On p. 10, under his comments, the word “State” needs to be capitalized in both places.
- On p. 5 – no correction and acknowledge Molly DesBaillets, he had no idea how much work she does. It’s been an education for him.

**Supervisor Stump:**

- On p. 16 of 17, last bullet point under his comments, “ask Superintendent Adler to respond to the two major questions regarding Anna’s credentials and mismanagement by the MCOE as claimed by the Bridgeport Friends of the Library”. First bullet point should also reflect “ask Superintendent Adler”.

**B. Board Minutes**

Departments: Clerk of the Board

**Action:** Approve minutes of the Special Meeting held on October 30, 2015.

**Johnston moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M15-234**

**C. Board Minutes**

Departments: Clerk of the Board

**Action:** Approve minutes of the Regular Meeting held on November 3, 2015, as corrected

**Alpers moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M15-235**

**Supervisor Johnston:**

- On p. 7, after 8b, under comment, add to first bullet point: “Also, Mono County has habitat suitable for the gray wolf.”
- On p. 9, before d – where it says “appreciates Airport Road being kept up”, should say, “Appreciates Airport Road being a top priority”.

**D. Board Minutes**

Departments: Clerk of the Board

**Action:** Approve minutes of the Special Meeting held on November 5, 2015.

**Stump moved; Johnston seconded**

**Vote: 5 yes; 0 no**

**M15-236**

**E. Board Minutes**

Departments: Clerk of the Board

**Action:** Approve minutes of the Special Meeting held on November 5, 2015, as corrected.

**Johnston moved; Alpers seconded**

**Vote: 5 yes; 0 no**

**M15-237**

**Supervisor Johnston:**

- On p. 1, under “opportunity for the public to address the board”, CJ Herma’s comments, add that he “indicated that the Antelope Valley RPAC as dysfunctional”.
- On p. 4, seventh bullet point under his comments, should say “not concerned with the number of members”.

**Supervisor Stump:**

- On p. 2, under his comments, strike word “Paradise” and insert “Swall Meadows” – they have the Design Review Committee, not Paradise.
- On p. 5, fourth bullet point of his comments, add to end “for RPAC membership”.

**F. Board Minutes**

Departments: Clerk of the Board

**Action:** Approve minutes of the Regular Meeting held on November 10, 2015.

**Stump moved; Alpers seconded**

**Vote: 5 yes; 0 no**

**M15-238**

**G. Board Minutes**

Departments: Clerk of the Board

**Action:** Approve minutes of the Regular Meeting held on November 17, 2015.

**Johnston moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M15-239**

**3. RECOGNITIONS**

**A. Certificate of Appreciation for Lynda Salcido**

Departments: Board of Supervisors

(Chairman Fesko) - Certificate of appreciation for Lynda Salcido for her role as Interim CAO.

**Action:** Approve certification of recognition for Lynda Salcido.

**Corless moved; Johnston seconded**

**Vote: 5 yes; 0 no**

**M15-240**

**Supervisor Fesko:**

- Noted that Lynda was not there today.
- Read certificate; the Board agreed to move the presentation of this certificate to the January 5, 2016 meeting.

**4. BOARD MEMBER REPORTS**

**Supervisor Alpers:**

- 11/19 - Toured Conway Ranch with Tony Dublino. Provided him with background information on Ranch facilities and infrastructure improvements.

- 11/21 - Attended Funeral Services for Dick Noles. The First Presbyterian Church in Bishop was packed; a real tribute to Dick. The speakers were retired Inyo County Supervisor Linda Arcularius, off-road business owner Randy Gillespie, and granddaughter Cari Noles. All three did an outstanding job of characterizing Dick's breathtaking life dedicated to family, community, public service and his distinguished professional career with SCE.
- 12/2 - Attended the special meeting MBRPAC meeting held at the LVCC. Alicia Vennos and Jeff Simpson from Mono County Economic Development updated the Board on Fall activities around the County. Margie DeRose, the new INF Deputy District Ranger was introduced. The discussion on drone activity was continued with citizens being encouraged to on the lookout for drone/environmental issues.

**Supervisor Corless:**

- 11/13, attended a very worthwhile CSAC class on intergovernmental relations and will be following through with some of the concepts there at the next ESCOG meeting in December.
- BH Advisory Board meeting: We have the required number of board members now so will be recommending appointments to BOS in January.
- Broadband news: taskforce presentation to council last week went well; Nate Greenberg announced Suddenlink's gigabit service in Mammoth, and soon, June.
- Strategic planning meeting in November: how to organize materials for midyear review
- Thanksgiving in Mammoth: biggest Thanksgiving weekend in many years, participated in the inaugural turkey trot in frigid temps.
- ES Avalanche Ctr fundraiser, great work by Nate Greenberg and other board members to raise money for avalanche safety programs.
- CSAC: Very grateful for the opportunity to attend the annual meeting and to connect with colleagues throughout the state, and to have the time and space to learn and reflect. There was an excellent workshop on Long-term impacts of the drought that included thoughtful and well received presentation by Robin Roberts. She urged participants to work to change the narrative around drought—to stop the fight of food versus jobs versus environment. Many of the workshops focused on improving communication—the use of social media, messaging, how to work better with all types—and shapes—of people (google Connie Podesta + shapes for more info. She's a circle for sure).
- Speaking of communication ... We, as a board, and we as a County must acknowledge the serious allegations made in the recent story and editorial in The Sheet regarding a harassment complaint against our former CAO. This is a complicated matter with many elements that must be held confidential according to law. This type of case is difficult and, as an elected official, one faces far more gray areas than crystal clear ones with respect to what the law allows you to disclose, and we work closely with the County counsel's office to advise us on legal requirements as a body. I believe that the ultimate action we took as the Board of Supervisors appropriately balanced the complainant's rights, mitigated the county's risk and wisely used the county's limited resources to keep vital work moving forward, all in an expeditious manner.

What is very clear is the need to keep persistent focus on ethics and transparency as we set policy and make decisions. Our actions must always pass the front page test and stand up to the scrutiny of our harshest critics. I don't agree with some of the editorial choices and omissions that our local

paper made in reporting this story, but I'm not an editor anymore. I am an elected official on the Board of Supervisors and it's my responsibility to diligently work to build trust and maintain confidence in our actions. I assure you that work will continue.

- Request to adjourn meeting in memory of Bob Tanner.

**Supervisor Fesko:**

- November 17<sup>th</sup>-18<sup>th</sup> -- Attended the RCRC Executive meeting. We continue to get updates on a hot topic: Marijuana! Paul Smith gave a brief intro into current (new) California Law regarding Medical Marijuana. Paul has been giving presentations at many BOS in other counties and is willing to come to Mono County.
- November 19<sup>th</sup> -- Attended the EMS Ad Hoc committee. The committee is making great progress and looks to have a report available in January.
- November 25<sup>th</sup> -- Attended the ARC.
- December 1<sup>st</sup> -- Attended the ARC.
- December 1<sup>st</sup> – 4<sup>th</sup> – Attended the CSAC annual meeting. Many great workshops including Water Rights issues, Wildfire Report, Increasing California's Renewable Portfolio Standard, Road User Charges, State & Federal Transportation Funding, Marijuana Policies, Broadband, and much more.
- December 15<sup>th</sup> – Planning Staff will be giving their own presentation on Medical Marijuana. Paul Smith, RCRC guru, will be giving a presentation this coming Friday, December 11<sup>th</sup>, to the Alpine County Board of Supervisors. The special meeting will be at 1:30 pm in Markleville. I recommend all Mono County Board members to attend as Paul understands the current Medical Marijuana laws along with the up and coming Recreational Marijuana initiatives coming in 2016.

**Supervisor Johnston:**

- Attended the CSAC annual meeting along with Supervisors Fesko and Corless. Handed out information from the conference along with the CSAC Board of Directors briefing materials.
- Attended the Great Basin Unified Air Pollution Control District meeting on Dec 7th. Noted the progress being made on the Keeler Dunes dust control project.
- Participated in the HR Director interviews in the afternoon of Dec 7th.

**Supervisor Stump:**

- 11-12; Watched Planning Commission TROD item from Mammoth.
- 11-18; Attended Tri Valley Water Commission - Commission is moving ahead with Basin separation from the Owens Valley in collaboration with Inyo County.
- 11-19; EMS Committee meeting.
- 12-1; Attended CSA 1 meeting.
- 12-3; Attended EMS Committee meeting.
- 12-7 ; Attended Great Basin Unified Air Pollution Control District meeting
- Request that today's meeting be adjourned in the memory of Doug Butler - Crowley Lake Fishing Guide.

## 5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments  
Receive brief oral report by County Administrative Officer (CAO)  
regarding work activities.

**Leslie Chapman:**

- 11/18 - Winter Storm Preparedness teleconference
- 11/18 - Energy Task Force monthly meeting
  - done with review of the energy audit report and asked for changes/corrections
  - looking at implementing recommendations and preparing to report to the Board
- 11/19 - CSAC Broadband Teleconference; EMS Committee Meeting
- 11/19 – 11/24 - Met with finance staff individually to discuss future of the dept.
  - Already short 2 staff, then I left and Roberta is retiring at the end of Dec. so staff is anxious and rightfully so.
  - Filled the FTS position and TTC interviews are on the 18<sup>th</sup>
- 11/20 - Strategic planning workshop – moving forward and preparing for a presentation to coincide with the midyear budget presentation
- 11/23 Facilities Project Review Committee
- Last Week CSAC Conference highlights:
  - Women's Leadership forum
  - Navigating social media
  - Road \$\$
  - CAOAC business meeting and networking event
- 12/7 - HR interviews, 2<sup>nd</sup> round

## 6. DEPARTMENT/COMMISSION REPORTS:

### Joe Blanchard (Public Works):

- Clinic moved out of old hospital and into Twin Lakes Annex. Remodeled to accommodate Mammoth Hospital clinic, moved staff to Office of Ed. Moved locks. Closing Social Services reduced 18,000 sf for energy savings on heating and lighting. Finished ADA at Annex 2, nearly done with Bridgeport probation remodel. Thanked facilities staff for hard work, dedication.
- Supervisor Stump: Bring staff for commendation.

### Nathan Reade (Ag Commissioner):

- New equipment in weights/measures. New provers for propane. Check everything yearly. Measured mile in Independence, State assisted Reade. See if Mono wants same. Spring conference in Mammoth in May. Invited US Sec Ag as keynote speaker. Water conference in Clovis on Ag use. Suggested water conference on east side. Urban vs Ag vs enviro. Education that people need to eat. State telling what to plant, where.

### Ingrid Braun (Sheriff):

- Concern for Mono employees after San Bernardino shooting fatalities. Kathy Peterson asked for active shooter training at Sierra Center Mall. Look at all County buildings re: security. Government often target of incidents. Mono: don't let comfort be complacency. Better to prepare and not have happen. All agencies would respond as team for incidents. Run if can, hide if can't run, fight if can't hide.
- **Supervisor Fesko:** Training in North County?

### Tony Dublino (Solid Waste):

- Crushing aggregate material. Carpet recycling successful. Jan. 19 recycling efforts, way fees/materials collected, reflect processing costs. Long-term solid waste planning. Plastic bag ban recommendation. Deal with Town is underway. Pumice Valley purchase by LADWP approved.
- Supervisor Stump: Commended Dublino on major accomplishment.

### Stacey Simon (County Counsel):

- Sustainable Groundwater Management Act. Passed out map. Tri-Valley Groundwater Management District working with Inyo to request basin

boundary adjustment with State Water Resources. Public meeting in Bishop Wednesday night, notice to all affected parties, RPACs in Tri-Valley. Up for approval in 2016.

**Scott Burns (Community Development):**

- National Fish & Wildlife Federation grant for CEQA water transfers at Walker Lake.

**Nate Greenberg (Information Technology):**

- Delta Wireless of Stockton for documentation project of communications infrastructure, \$60,000. On site today/tomorrow, looking at dispatch, Conway Summit. SuddenLink rolling out gigabit service to ML, JL. CL hoping to be on line in 2016, then Tom's Place, Sunny Slopes. Letters on need for broadband. Technology for gigabit is Fiber-rich with branch co-ax.
- Supervisor Fesko: Move to redefine broadband held at CSAC.
- Supervisor Alpers: Appreciate appraisal on fast-moving issue. Four letters arrived, more coming from Lee Vining area.

**Robin Roberts (Behavioral Health):**

- Addressed CSAC on psychological effects of drought. Resilience rather than fight. Some counties trucking in water. People eager to talk about drought. Seize moment as human story, not economic.
- Supervisor Fesko: Noted many were impressed with Roberts' presentation.

**7. CONSENT AGENDA**

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

**A. Hiring Freeze Variance; DSS FTS IV**

Departments: Social Services

A Fiscal Technical Specialist IV position vacancy within Social Services will be created due to a retirement at the end of December 2015. The department requests the ability to recruit and hire a replacement for the incumbent prior to her departure to allow for cross training. This position is included in the current BOS-approved Allocation List.

**Action:** Approve hiring freeze variance and authorize the Director of Social Services to fill one Fiscal Technical Specialist IV vacancy within the Department of Social Services.

**Alpers moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M15-241**

**Supervisor Fesko:**

- As a note on both items A and B, these positions are already funded, either non general fund monies or, alternatively, a vacant position (already budgeted) is being filled.

**B. Hiring Freeze Variance - Deputy County Counsel I/II/III or Assistant (one position only)**

Departments: County Counsel

Approve hiring freeze variance and authorize the County Counsel to

fill one Deputy County Counsel I/II/III or Assistant (one position only) vacancy within the County Counsel's office.

**Action:** Approve hiring freeze variance and authorize the County Counsel to fill one Deputy County Counsel I/II/III or Assistant (one position only) vacancy within the County Counsel's office.

**Alpers moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M15-242**

**C. Appointment to Fill Planning Commission Vacancy**

Departments: Board of Supervisors

Appoint Carol Ann Mitchell to fill the seat recently vacated by Roger B. Thompson on the Mono County Planning Commission, as recommended by Supervisor Fred Stump, with term expiring March 1, 2017.

**Action:** Appoint Carol Ann Mitchell to fill the seat recently vacated by Roger B. Thompson on the Mono County Planning Commission, as recommended by Supervisor Fred Stump, with term expiring March 1, 2017.

**Stump moved; Alpers seconded**

**Vote: 4 yes; 1 no: Johnston**

**M15-243**

**Supervisor Johnston:**

- Postpone a week, no resume or background info.
- Town Planning Commission appointments have multiple candidates, interviews, process to vet. No background data at all, process question of blindly approving, not in packet. Public info, BOS background needed. Uncomfortable appointing, not good policy.

**Supervisor Stump:**

- Pushing now, as Planning Commission down to four commissioners due to resignation after last Planning Commission meeting. Witnessed last meeting that resulted in long, protracted discussion of today's issue. Desire to appoint planning commissioner. Bio: Member of Tri-Valley Groundwater District for years; on Chalfant RPAC; comfortable with her; limited appointment for duration of term; Planning Commission Dec. 10 has skate park on agenda. Appreciated request, but wanted to appoint today.
- Identified need for Tri-Valley to have voice beyond Stump in planning. Tri-Valley neglected in many ways. Project in Chalfant had 100% opposition, yet passed without community voice. Been looking for three months for suitable replacement. Everyone on proposed list began to move away. Confident in her capability. If timing weren't what it is, better to do it Johnston's way. Appointment to March 2017, relatively short term. Current Sunny Slopes commissioner speaks for west side, but eastern of District 2 neglected.

**Supervisor Alpers:**

- Understands Supervisor Johnston's concern, but requested exception as known her since 1980s, in contact over decades, would be excellent appointment. Exception due to personal knowledge.

**Supervisor Fesko:**

- No info on background, but concern. Give benefit of doubt on Alpers



recommendation, so move forward.

**Scott Burns:**

- Send resume to BOS.

**8. CORRESPONDENCE RECEIVED (INFORMATIONAL)**

All items listed are located in the Office of the Clerk of the Board, and are available for review.

**A. California Water Boards**

Departments: Clerk of the Board

Receipt of Notice of Petition for Temporary Urgency Change for Permit 21185 (Application 28609) of June Lake Public Utility District from the State Water Resources Control Board.

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*The Board acknowledged receipt of the correspondence.*

**9. REGULAR AGENDA - MORNING**

**A. County Invasive Plant Program**

Departments: Agricultural Commissioner

(Nathan D. Reade, Agricultural Commissioner) - This will be a presentation to provide an overview of the Agricultural Department's Invasive Plant Program.

**Action:** None.

**Nathan Reade:**

- Why responsible for weed management?
- 1981 Act. About 130 species in Inyo/Mono. Russian thistle/tumbleweed eradication not viable.
- About 15 agencies/groups meet, share resources, info in Inyo/Mono, working across jurisdictional boundaries.
- MOU about to expire. What/where to manage weeds? Larger threat to Ag, local environment, availability of resources, probability of management success.
- Weed work in Death Valley? Different management people there, didn't need assistance.
- CA broke land into weed management areas 1996-97. Mojave claimed Death Valley for years.
- Reviewed 2016 projects: Antelope Valley (1997 flood spread weeds all over); Mammoth Lakes hydroseeding added weeds; pepperweed at Tri-Valley, Fish Slough, and Lower Owens.
- Weed management meeting held last week, got calls on mullein. Woolly Mullein issue is throughout country, as are tumbleweed and cheat grass. Lots resources used, but weeds come back. Mullein likes disturbed areas, aggressive. If eradicate in few years, happy to work with. Agencies with resources not think its viable project, so many competing.

**Supervisor Alpers:**

- Twin Lakes, in the ML Basin, is becoming heavily infected with Spyro Gyra and other invasive aquatic weeds. There could be an

- opportunity to partner with USFS for aquatic weed control.
- Perhaps the California Department of Fish and wildlife and LADWP might join in an effort in that they currently work on invasive mud snail and mussel issues.
- I would hate to see a bureaucratic process ignore the problems as unrealistic to deal with. These growing infestations could eventually destroy recreational lakes.

**Supervisor Corless:**

- Asked question about Woolly Mullein.

**Supervisor Stump:**

- Group 19 species together on website. Reade mentioned slide show, booklet for outreach.

**B. General Plan Amendment 15-002**

Departments: Community Development Department

(Courtney Weiche) - Public hearing regarding proposed amendment of the General Plan Designated Land Use Map to establish a Transient Rental Overlay District to allow for nightly rentals (with a Vacation Home Rental Permit) on APNs 016-099-027, --036, --037 and 016-096-006, in June Lake.

**Action:** Disapprove proposed Transient Rental Overlay Districts for parcels APNs 016-099-027, 016-099-036, 016-099-037 and 016-096-006.

**Alpers moved; Johnston seconded**

**Vote: 5 yes; 0 no**

**M15-244**

**OPEN PUBLIC HEARING:**

**Supervisor Stump:**

- Noted several speakers spoke longer at Planning Commission hearing that lasted more than two hours, requested 5-min limit so all could speak. If agree with prior speaker, so state, add additional points. Witnessed Planning Commission meeting on process approved in 2012 by BOS. Encouraged commenters to stick to issue, not criticize past or staff.

**Supervisor Fesko:**

- Everybody gets chance to speak. If comments repeated, might ask for show of hands who agree. Final process is at BOS. For emails, noted receipt and reviewed. Some not made to Planning Commission in timely manner. Planner Courtney Weiche first, then applicant.

**Courtney Weiche:**

- Expansion of existing Transient Rental Overlay District (TROD) to four parcels. First TROD in 2013 on Black property. Planning Commission considered four, not six. Reviewed noticing. Nevada Street only access for Silver Lake Tract USFS cabins, who also were notified. Comment letters of support and opposition, plus phone calls within TROD expressing support based on experience with TROD. Reviewed Planning Commission action. Noted that Ch. 25 states intent on TRODs, Ch. 26 governs, stipulate regulations.

**Supervisor Fesko:**

- How decide on just two? Weiche: Move forward so BOS could consider. Fesko: Public opposition for other two? Weiche: Not particular to other two; owners were not at hearing. Approved for owners at meeting to advocate for it. Fesko: Ch. 26 has regulations on

noise, traffic, and parking. Weiche: Ch. 26 has lots of regulations. All parking and property manager on site, or else compliance violation. No complaints on existing TRODs. Corless: If Planning Commission did not approve, decision would go to BOS?

**Stacey Simon:**

- Unique situation. Requires recommendation from Planning Commission, so worked hard to bring it forward. Weiche clarified that agreement could lead to recommendation to BOS.

**PUBLIC COMMENT:**

**Applicant Pat Gale:**

- First in cabin in 1962, first night in 2006. Clark Tract favorite place since forever. Reviewed his and wife's work in Mono County. Working at San Jose State now, want to come back. Rental would bring money to manager, cleaners, TOT to Mono. In snow conditions, upper Clark Tract different from lower tract. Traffic less than full-time residency.

**Supervisor Alpers:**

- Consider a permanent tenant? 30-day rental as a fallback plan.

**Igor Vorobyoff:**

- Isolated, geographically speaking. Impacts people right there. Some comments on road from half-mile away. Commissioner who opposed wouldn't want in his own backyard. Against TROD in general, not specific area. Consider this area, which has no opposition.

**Lee Vorobyoff:**

- House built in 1982 by Blake Sibla, Clark grandchild. Only people down there, forever. Hooked up with snow removal as part of Clark Tract. Got to name her street, so isolated. All cabins behind motel owned by motel. Separate road goes down Nevada Street except with snow removal. Tract not part of upper. Why so opposed to small group of beautiful homes who need income? Expect renters in new TROD would be respectful, bring families. Find appalling that people from other areas tell what can/can't do when successful. Double Eagle has rentals. No problems.

**Courtney Weiche** showed comment letter sites, away from TROD area.

**Patrick Hoefler:**

- He and wife lived in Clark Tract seven years. Looked at TRODs as weeds – start to grow, just keep growing. Adjacent to existing TROD is how it grows. Upper Clark repairs Nevada Street. Dirt road repaired after Tom Cruise movie. Snow removal moneys collected from all. Bought in SFR zoning, but TRODs are creating individual commercial district in area. Experiment done by BOS/Mono that will fail in long run. Ch. 25: Processed same as land use redesignation. TROD called redistricting. Purpose of Ch. 25: Fighting illegal rentals for nine years, against TROD in draft form. Nothing ever changed. Additional unit rented takes revenue from legal transient rentals/motels. Spreads revenue around to different pockets. Problem for business owners if expansion continues. Majority of all landlords don't spend on property. New owners put more money into. Why BOS let people make money when existing businesses are going out of business? Had petition with many signatures against TRODs in community. Experiment does not work for stated purpose. Sell homes to people who can afford them, stop welfare.
- Supervisor Fesko: If someone lived full time with family of four, how affect life differently than weekly or monthly basis? Hoefler: Different mentality, not know or care about neighbors. Illegal rental had renter

park in someone else's driveway, so unprepared. Spent two days in his driveway. People want to view upper tract.

**Tony Fodera:**

- If have no money, rent by night, can't afford to pay bills. Cars get stuck, can't get home; 12 people, five cars, playing on others' property. Can rent by month; don't change rules. Maybe sell if can't afford, buy what can afford.
- Supervisor Stump: Prior TROD hearing, fines upheld (\$5,000).

**Lynda Biederman:**

- Upper tract for 21 yr. So sick of this. The TROD system not designed to pit neighbor against neighbor, but its happening. Take care of each other. Applicant-driven process is turning people against each other. As Realtor, knows zoning is important to buyers – want SFR, not vacation rentals. During original discussions, repeatedly said Clark Tract inappropriate. Private roads, not well maintained. Get Clark eliminated from TROD. Gale addressed contiguous, unknown to most. Didn't know others had piggybacked. Now everything's based on contiguous. Nevada Street is part of Clark Tract, part of water system. Workforce housing in June Lake Area Plan: Entire housing section to need for workforce housing in June Lake. Includes section to change zoning of vacant land to have workforce housing. Please don't do this to Clark Tract.

**Ross Biederman:**

- Declaring separate entities within tract. Opposes concept of upper and lower. There is "The Clark Tract." No division. Explorers roam neighborhood. Facetious, silly to assume tourists have no effect on neighborhood. Money is powerful motivation for some. Want to preserve neighborhoods, love homes for solace, refuge, and quiet. Worrying about what's happening to neighborhood. TROD = cancer cell. June Lake Area Plan specifically and redundantly notes need for workforce housing. Converting homes to TRODs instead of long-term rentals. Notably different population group who rent. Please, don't convert neighborhoods to hotel districts. Planning Commission didn't adhere to parliamentary procedure in November. No motion to reconsider or rescind. Once motion made and passed, that's the end. Move to next item. Can't re-discuss. Read from Robert's Rules of Order: once vote happens, matter is settled.

**Roxanna Fodera:**

- Accepted responsibility of roads. Mono totally dismissed help. Now Mono making business district.

**Jeff Ronci** submitted letter via Lynda Biederman.

**Ann Tozier:**

- Applied for time off work to oppose. Sets precedent for entire tract. Quiet, residential district. People travel Nevada Street to visit.

**Al Heinrich:**

- Planning Commission needs more suitable rep for June Lake. Current does not attend CAC meetings. Planning Division deceived. No SFR included in proposal. TROD not working, Mammoth Lakes voted it down. Put to vote at June Lake? Creating residential controversy. Listed pros: Unknown. Con: Unrest, less revenue, safety, parking issues, degrading quality of life, signage, noise. Original CAC comments ignored by County. Morgan saw precedent to allow rentals. Neighborhoods not notified, nobody's being notified. Reconsider entire TROD process. See analysis of financial benefits to Mono.

**Karl Seiberling**, co-applicant for TROD.

- Moved to Mono City where lots of kids to play with. Update house at June Lake. No intention to become transient rental at this time. Geographic isolation on Nevada Street, 16 homes have no opposition. Having TRODs impacts his 50' x 108' lot greatly. California Street abandoned due to rock-face cliff. Distinct from rest of tract. End of street Whispering Pines transient rental, seasonal use at other end. Transient rentals done well, legally same as current use. People, dogs, kids on weekends useful. Think about street separately. Pay own maintenance, speed bumps. Good manager or bad manager of property. So far, people good managers.

**Patti Henrich:**

- Current CAC president, Clark Tract resident. Key words: 1) Clark Tract (never heard upper/lower, always one entity. 2) SFR neighborhood. At 2009 meeting of CAC, promises made. Whole premise of TROD has changed, hot topic at CAC. Pitting neighbors against each other, whether legally or illegally renting. Disappointed in Planning Commission. No decision is a decision. Quality of life a concern: rental zone area, no stop lights or stop signs, not lighting for safety. Do residents feel safe with transients coming/going? Devaluation of property. County resources: only one compliance officer, nobody ever satisfied with. How Mono ensure neighborhoods stay as such. Illegal renters fined, yet continue to rent anyway. How ensure money paid to Mono? Financial cost analysis vs. code cost. Hurting businesses. Decision may benefit a few, but at cost of entire neighborhood.

**Valerie Gale, co-applicant:**

- Whenever address people's homes, emotional topic, opinions vary. Reviewed all opposition letters. Many mentioned illegal rentals in upper tract. Not applicable to her neighborhood. What defines true neighborhood? No true definition. Legal requirement: Noticed neighbors within 300'; Mono expanded to 1,000'. Most vocal opposition outside that. Neighbors have parties together, look out for each other. Workforce housing: Can't afford to rent home as individuals, so group together within a home. That begs issues in terms of ownership/responsibility for those homes. More people, parties, other issues. Economy of June Lake? Opportunity for more families, more tourism-positive aspect.. Concerns about hotels. Very much transient renters, not families. Family interested in staying in a home may go elsewhere. Didn't want to talk about issues in past. Previous TROD not declined, but withdrawn. Current is annexation to previously approved TROD. Short drive to upper tract. Couple owned home on Nevada Street, second homeowners not know what goes on year round; less meaningful than full time.

**Courtney Weiche:**

- Clarified 2009 CAC reference. Completely different proposal to address regulating existing transient rentals in areas where already allowed. Quality of life ordinance. Not affect tract, not move forward. In 2012 when June Mountain closed, came up with Ch. 25-26, worked with CAC, Planning Commission. Much different environment.

**Stacey Simon:**

- Neither Planning Commission nor BOS required to follow Robert's Rules of Order (RRO). Planning Commission rules: "Failure to conform to RRO does not invalidate action taken." Moot point, not bound by RRO.

**Scott Burns:**

- Planning Commissioner at June Lake on original CAC, president of California County Planning Commissioners Association. Alpers personally asked Roberts to get off CAC – president of June Lake Chamber, CCPCA conference, business owner. He agreed to concentrate his time. Well engaged, veteran planning commissioner.

**Supervisor Corless:**

- Lizza was her appointment.

**DISCUSSION:**

**Supervisor Alpers:**

- Look at the big pic, scope down. Supervisors responsibility for strings-of-pearls communities with own realities. When zero in to June Lake, one of most beautiful places, fierce pride. Quick to defend values, very split on Rodeo Grounds. Folks pay attention to every issue. Expressed concern about splits in communities. Voted for barn at Black property, and next two as well. Spread density. Concern is that TROD at June Lake not sufficiently stress tested. Impacts on roads, infrastructure, pets. Normal year sound carries in both Down Canyon tracts. Not enough experience on impact of neighborhoods to evaluate. Private roads set stage for arguments. Wonderful families get along. When Oblivion movie folks came in, heard from 3-4 people by phone on Nevada Street, almost going to sue Mono, Double Eagle, CofC, and Alpers. Hung up. Extrapolating to more TRODs, hard to pull back once start approving. Other cities have problems with this. Maybe Mono does not have enough experience. Have monthly or year-round rentals available that allow options. Can't support moving forward with any more TRODs till get more information. Creating more problems; not stress tested.
- Thanked commenters for attending.

**Supervisor Corless:**

- Emerging issue, adapt, find solutions. Mammoth Lakes Measure Z divisive. Not solve today. Lack of consensus for approval from Planning Commission is significant. Crafted vote to raise to BOS to make decision. Road issues, define neighborhood. Supports Alpers. TRODs designed for needs of June Lake. If not working, reconsider. So much consensus among homeowners. Common vision on street. Can't support.
- Supported idea of joint workshop on TRODs with Planning Commission/BOS. Emotional, but remember talking land use issues. Avoid talking about "those people." Resort communities, so elevate to that level of quality of life around land issues.

**Scott Burns:**

- It's a redesignation. People can come in on full menu of land use designations. Environmental process sometimes involved. TRODs not change use of property. For SFR by Commercial district, only option available. Deed-restricted property. Another approach.
- Same Planning Commission frustration. Need future workshop on TRODs.

**Supervisor Stump:**

- Mammoth Lakes had issue of individual empowerment vs community empowerment. If not make process work, June Lake could push for Measure Z requiring vote of people. Mammoth spent \$50,000 on special election. Broad concern about process. Significant differences on definition of neighborhood. Even in Arizona transient rentals are hot topic. Includes area as part of neighborhood. Inclined to vote no now,

but need further analysis. Not much support in his district. Condos across street from his SFR. Knew what was getting when bought. Conscious choices. View zoning as contract between zoning entity and property owner. Vote no.

**Supervisor Johnston:**

- Present when adopted ordinance in 2012. Thought an experiment. Experiment should be over. Looking at stress test. Continuum of divisiveness in community, with SFR defending against those who want to change it. Lives in SFR, locks doors when people doesn't know come during holidays. Changes neighborhood. Evidence of intrusion into neighborhood totally unacceptable. People have right to defend their community from wherever they reside, affects how interact, how community perceived. Real reaction to closure of June Mountain, pushing in direction of helping with bed count. Places in June Lake where TRODs suitable. Designate through zone change, not piecemeal TROD approach. Experiment's over, can't support. Makeup of people making TROD decisions changes over time, no consistency, no history. People relying on zoning subjected to political [changes].

**Supervisor Fesko:**

- Thanked all attendees for their input. Was running in 2012 when TRODs arose. As motel/RV park owner, wondered how it would affect him. Grew out of June Lake originally, but process is working. Rancheria applicant withdrew when neighbors voiced concerns. No doubt it's an experiment. Just because area has name, not part if outside boundary? BOS approved some TRODs. How would it grow? Where does it stop? Troubling. People close to losing homes in 2012, [TROD] was way to help save homes. Not sure it is now. Really concerned how it could grow. Believes in personal and property rights, but balance within neighborhood. Process has worked. Can't support.

**Marshall Rudolph:**

- Commission made recommendation, not decision.

**Stacey Simon:**

- Planning Commission recommended only two of four, so disapprove of four pending.

**10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

*No one spoke.*

**11. CLOSED SESSION**

*There was nothing to report out of closed session.*

**A. Closed Session - Public Employment**

PUBLIC EMPLOYMENT. Government Code section 54957. Title: HR Director.

**B. Closed Session - Public Employment**

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Finance Director.

**C. Closed Session - Public Employment**

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Assistant Finance Director/Auditor-Controller.

**D. Closed Session - Public Employment**

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Counsel

**E. Closed Session - Human Resources**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, and Leslie Chapman. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

**F. Conference with Legal Counsel**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.

**THE AFTERNOON SESSION WILL RECONVENE AFTER CLOSED SESSION**

**12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**  
*No one spoke.*

**13. REGULAR AGENDA - AFTERNOON**

**A. Simon Employment Agreement Amendment**

Departments: BOS, CAO, County Counsel

(Marshall Rudolph) - Resolution approving an agreement and first amendment to agreement re employment of Stacey Simon and prescribing the compensation, appointment, and conditions of said employment.

**Action:** Adopt Resolution R15-82, approving an agreement and first amendment to agreement re employment of Stacey Simon and prescribing the compensation, appointment, and conditions of said employment.

**Fesko moved; Corless seconded**



**Vote: 5 yes; 0 no**

**R15-82**

**Marshall Rudolph:**

- Noted vacancy due to his move to Inyo County. Excellent staff, Stacey 16 years all way from intern as law student. Already has powers/duties principal has. Not necessary, but appropriate. Become acting county counsel, not permanent yet. Test drive with compensation adjusted. BOS could make permanent. Particulars spelled out in staff report.

**Stacey Simon:**

- Appreciates BOS willingness to allow continuity, important for all staff to maintain stability during interim. This will give everyone time to see if this is the best arrangement for BOS and for her.

**B. 2015 Mono County Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates, and Final Environmental Impact Report**

Departments: Community Development

(Wendy Sugimura, Brent Calloway, Sandra Bauer) - Public Hearing on the 2015 Mono County Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates and Repeal of the Conway Ranch Specific Plan, and Final Environmental Impact Report. Below is a link to the Project Documents which are too large to attach to the agenda:

<http://monocounty.ca.gov/planning/page/mono-county-general-plan-update>. This page contains a link to the FEIR. All documents may also be obtained on CD or in hardcopy, upon request, at the Community Development Department Office in Mammoth Lakes.

**Action:** 1. Adopt Resolution R15-83 certifying the Final EIR for the 2015 Mono County Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates (the “2015 Updates”); approving and adopting the Mitigation Monitoring and Reporting Plan, and adopting the 2015 Updates (except Noise Ordinance) and repealing the Conway Ranch Specific Plan.

2. Introduce, read title, and waive further reading of Ordinance ORD15-\_\_, Amending Chapter 10.16 of the Mono County Code Pertaining to Noise Regulation;

3. Direct staff to make administrative edits and corrections as necessary; and

4. Direct staff to file the Notice of Determination and pay California Department of Fish & Wildlife filing fees.

**Corless moved; Alpers seconded**

**Vote: 5 yes; 0 no**

**R15-83**

**M15-245**

RPACs commended staff for late nights, long discussions.

**Scott Burns:**

- State law requires comprehensive update of General Plan. Last time

was 2000, with subsequent annual tweaks. Underway five years. Dated language, EIR stale. Update coincided with general fund impacts that got grant funding to update General Plan. Lots of controversy in past updates. Land use designation change only for Conway Ranch. New laws with new requirements to address. Sustainable communities planning grant might delay Housing Element update. Hope to further streamline with fresh EIR. Threatened listing of sage grouse allowed focus on biological assessments and Greenhouse Gas (GHG). Integrates past planning efforts. Done as team effort focused at staff level, with long-term consultants.

**Wendy Sugimura:**

- Tony Dublino helped write grant as well. Workshop Sept. 15 for BOS, so not need to review. Focus on public comments, policy issues, and errata sheet. Four parts: 1) General Plan Update, including all elements; 2) Integrated Waste Management Plan; 3) Noise Ordinance; and 4) repeal of Conway Ranch Specific Plan.

Agency comments focused on biological resources, water quality/supply, and RTP.

- **Cal Fire:** Policy issues from Planning Commission:
- Energy policies to BOS, discourage large-scale energy projects. Most occur on public land, so need reasons why not in favor. Be clearer, more authoritative.
- **Rodeo Grounds:** Should be memorialized that base would be part of development. In 2013, concept to have development on that side of highway.
- **OHV management:** Planning Commission wanted to encourage agencies to manage land to minimize user conflicts.
- **Opening passes:** Base on road conditions, not calendar date. Planning Commission no action on Net Zero Energy. Incentivize vs. making regulatory issue.
- **Dark Sky Regulations:** Extension to include Antelope Valley should be community-based discussion.
- **Heavy-equipment storage:** On parcels > 5 acres created light industrial use, not residential neighborhood. Planning Commission not revisit.
- **Extended home occupation:** Create more commercial feeling. Permit must be consistent with land use designation. Not revisit.
- **TRODS:** Workshop separate from update today.

**Errata:**

- Relate to RTP. US 6 not interstate truck traffic.

**Supervisor Stump:**

- If not designate it as truck route, need some language that truck traffic likely to increase due to development in Nevada. Need policy backup for ourselves. Expanded shoulders on US 6. Speed limit adjustment in Chalfant quashed by Caltrans headquarters. Page 26-27: Reword: "Increased levels of truck traffic on **state** highways are is a ~~perceived~~ safety concern." Fix also on page 4.2-9. Revisit now that District 9 is disconnected from Fresno.
- Add policy to use self-weathering steel finish.
- Deadline to adopt RTP? Before Dec. 15.

**Sandra Bauer, consultant:**

- Work began halfway through process. Scoping meeting with CDFW and MWTC. Comments used to shape scope and content of EIR. Added extra comment time, got 14 constructive comment letters. Air

Control offered clarifications on particulate matter. CDFW's three comments included domestic sheep endangering bighorn sheep. Significant impacts were presented, as well as alternatives.

**OPEN PUBLIC HEARING.** None either site. **CLOSE PUBLIC HEARING.**

**Supervisor Johnston:**

- Land Use Element 2-79 13.H.1C. Why community infrastructure?
- Maybe say on approved development areas, not developing new project on USFS land.
- Make sure Inyo County understands Mono's General Plan Amendment does not usurp Inyo's authority in any way.
- Land Use 2.76 under June Lake: 13A.03. Not do now.
- Net zero energy: County could say today net zero energy. Set goals, establish framework. Actually say it, set a time. Suggested Mono goal: Net zero energy by 2030. Actually do something, take lead. Net zero means energy independent.
- The County told Caltrans what we want. Told BLM also. Oppose commercial-scale renewable projects throughout Mono on any lands.
- OHV proliferation long-term, significant negative impact to feet-first environment. Most come to hike or other non-motorized recreation. Plenty of places in West where it's happening, few places where it's not. Mono could be special, different, unique. If OHV involved, displaces all other uses. Declare Mono is feet-first county, no longer promote OHV. Big question dependent on environmental ethic, vision for what Mono could be.
- Heavy commercial uses: Mistake, a zone change with illegal uses on property.

**Scott Burns:**

- Make sure USFS aware of community service demands.
- If land on USFS goes into private ownership, whole local planning process. If by permit on USFS, planning process gets cut out. Invite us in on building; planning on USFS land preempted. Make sure June Mountain takes into account how it impacts community.
- Adds protection that only permitted when neighborhood supported.
- BOS interpreted what neighborhood meant.

**Supervisor Stump:**

- If June Mountain were to expand, wouldn't Mono review plans for buildings even though permit to operate on USFS land? Not permit rapid expansion of a facility. Mono to do assessment at some point?
- Definition of neighborhood was problem.
- Every opportunity to achieve energy independence is Mono's goal, progressively moving toward net zero energy.
- Extract even if means General Plan Amendment in 2016.
- Heard complaints about commercial equipment parking in the Antelope Valley not for on-site use. Philosophical problem with one-size-fits-all concept. Not willing to insert something that's not a major community issue.

**Wendy Sugimura:**

- No land use planning authority on USFS land, but review, make sure done to code.
- Work with USFS to ensure activity on National Forest lands.
- Issue continued to evolve. CAC came up with language.
- Pull policies if TROD redone.

- Highlights as part of June Lake community's concern. Already part of policy.
- Proactive policies in alternatives, so expand to include net zero energy. Include concept
- Oppose commercial scale; e.g., larger than 3 mw, on non-County public lands (eliminate qualifiers following).
- Modifications include errata sheet, info on truck traffic, policy of self-weatherizing steel on transportation projects; replace new development with activities. No jurisdiction over Inyo County.

**Supervisor Fesko:**

- Want USFS to work with Mono. Ensure new/expanding development.
- Take out June Lake so applies anywhere. Consistent with what have today.
- Commenters thanked for attending hearing.
- Look at where OHVs go, hike elsewhere. Various amount of activities, not really overlap. Happy with policy 5A.

**Supervisor Corless:**

- Don't change it on the fly.
- Issue for another General Plan update, add recreation element. Have trails plan, which mentions OHV use, also area plans. People disagree at places in county. Need to vet it.

**Supervisor Alpers:**

- 15 years unrealistic. If encourage, need to incentivize.
- Vast areas of thousands of square miles where not go on foot.
- Discuss marketing.

**C. ESTA Board Member Vacancy**

Departments: Board of Supervisors, County Counsel

(Marshall Rudolph) - Discussion and possible action regarding filling of current vacancy on the governing board of Eastern Sierra Transit Authority (ESTA), to which the Mono County Board of Supervisors may appoint any member of the public at large. Note that the ability to appoint a member of the public to the ESTA board is the result of a recent amendment to the ESTA joint powers agreement.

**Action:** None.

**Marshall Rudolph:**

- Provided follow-up to fill two allotted slots, can appoint public.
- member at large. Board suggested they advertise vacancy to RPACs, commissions, newspapers, etc. through January.

ADJOURN AT 4:22 p.m. in memory of Douglas Butler, Bob Tanner, and 14 victims of San Bernardino shooting.

ATTEST

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TIMOTHY E. FESKO  
CHAIRMAN

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CD RITTER  
TEMPORARY DEPUTY CLERK OF THE BOARD

**FURTHER REVIEW/EDIT:**

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SHANNON KENDALL  
ASSISTANT CLERK OF THE BOARD

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HELEN NUNN  
SR. DEPUTY CLERK OF THE BOARD